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Def Defeated
IP Indefinitely Postponed
PO Passed Over
Ref Referred for further study

ANNUAL TOWN ELECTION
MARCH 28, 1994

The Annual Town Election was held at the General John Nixon School. The polls were open from 7 a.m. to 8 p.m. There were 2,279 votes cast including 79 absentee ballots. The number of ballots cast represents twenty-three percent of the Town's 9,657 registered voters. Twenty-three voting machines were used. The results were announced by Jean MacKenzie the Town Clerk at 11 p.m.

SELECTMEN: FOR THREE YEARS

MaryAnn K. Clark	1,326
Michael W. Conway*	131
John P. McMahon	289
Fred Lee Swanson	217
Scattering	--
Blanks	316

HIGHWAY SURVEYOR: FOR THREE YEARS

Robert A. Noyes	1,551
Spencer R. Goldstein	514
Scattering	--
Blanks	214

BOARD OF ASSESSORS: FOR THREE YEARS

David E. Tucker	1,567
Scattering	--
Blanks	712

MODERATOR: FOR ONE YEAR

Thomas G. Dignan, Jr.	1,739
Scattering	--
Blanks	540

CONSTABLE: FOR THREE YEARS

Edward W. Connors, Jr.	1,548
Scattering	1
Blanks	730

**PARK & REC. COMM.: FOR THREE YEARS
(Vote for two)**

Donald Soule	1,421
Thomas J. Biggins, III	1,040
Joseph J. Polizzotti	717
Scattering	2
Blanks	1,378

GOODNOW LIBRARY TRUSTEES: FOR THREE YEARS

(Vote for two)

Ivan Lubash	1,519
David L. Levington	1,466
Scattering	--
Blanks	1,573

**PLANNING BOARD: FOR THREE YEARS
(Vote for two)**

Richard A. Brooks	1,466
Lael M. Meixsell	951
William J. Cossart	1,251
Scattering	--
Blanks	890

BOARD OF HEALTH: FOR THREE YEARS

Michelle Stakutis	1,544
Scattering	--
Blanks	735

SUDBURY HOUSING AUTH.: FOR FIVE YEARS

Bettie H. Komegay	1,559
Scattering	1
Blanks	719

ANNUAL TOWN ELECTION

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SUDBURY SCHOOL COMMITTEE: FOR THREE YEARS

(Vote for two)

Robert J. Weiskopf	844
Nita D'Innocenzo	688
Karen V. Krone	1,441
Gregory S. Lauer	1,258
Scattering	---
Blanks	327

LINCOLN-SUDBURY REGIONAL DISTRICT SCHOOL COMMITTEE: FOR THREE YEARS

(Vote for two)

William C. Hewins	1,601
Sarah Cannon Holden	1,543
Scattering	--
Blanks	1,414

(Note: members of Lincoln-Sudbury Regional District School Committee were elected on an at large basis pursuant to the vote of the Special Town Meeting of October 26, 1970, under Article 1, and subsequent passage by the General Court of Chapter 20 of the Acts of 1971. The votes recorded above for this office are those cast in Sudbury only.)

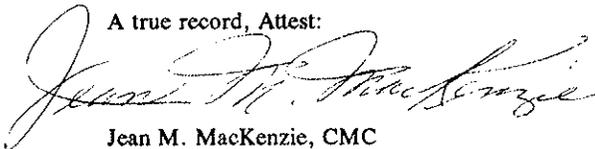
NON-BINDING PUBLIC OPINION
ADVISORY QUESTION 1

Should the Town amend the Town's Zoning Bylaw to provide more residential diversity, since 91% of Sudbury is zoned 'Single Family Residential' and the remainder is zoned 'Commercial' or 'Open Space'?

YES	420
NO	499
BLANKS	1,360

*CANDIDATE WITHDREW AFTER WITHDRAWAL DEADLINE AND BEFORE THE ELECTION.

A true record, Attest:



Jean M. MacKenzie, CMC
Town Clerk

TOWN OF SUDBURY
ANNUAL TOWN MEETING

PROCEEDINGS

APRIL 4, 1994

Pursuant to a Warrant issued by the Board of Selectman, March 11, 1994, and a quorum being present, the meeting was called to order at 7:40 pm by Thomas Dignan, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium. Rabbi Deanna L. Douglas of Congregation B'nai Torah delivered the invocation and Greg Stolle, an outstanding senior at Lincoln-Sudbury Regional High School led the hall in the Pledge of Allegiance to the Flag.

It was announced that certified Free Cash for the Town Meeting was \$443,577. The Call of the Annual Town Meeting, the Officer's Return of Service and the Town Clerk's Return of Mailing having been examined were all found to be in order.

Upon a motion by Judith Cope, Chairman of the Board of Selectmen, which was seconded, it was

VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING AND THE OFFICER'S RETURN OF SERVICE AND TO WAIVE THE READING OF THE SEPARATE ARTICLES OF THE WARRANT.

Various town officials, committee and board members present were introduced to the voters as were the visiting students of the Foreign Student Exchange Program, which was then followed by the reading of the "In Memoria" Resolution:

IN MEMORIA

*WHEREAS: THE TOWN OF SUDBURY HAS ENJOYED THE BLESSINGS OF THOSE IN THE COMMUNITY WHO GAVE OF THEIR TIME AND TALENT TO ENRICH THE QUALITY OF LIFE IN THE TOWN;
AND*

WHEREAS: CONTRIBUTIONS AND CIVIC DUTY AND PUBLIC SERVICE HAVE BEEN RENDERED BY SEVERAL OF ITS CITIZENS AND EMPLOYEES WHO HAVE PASSED FROM AMONG US;

NOW, THEREFORE, BE IT

RESOLVED: THAT THE TOWN EXTEND ITS HEARTFELT SYMPATHY TO THE FAMILIES OF THESE PERSONS AND TAKE COGNIZANCE OF THEIR SERVICE AND DEDICATION:

WALTER ROBERT BECKETT

*-(1930-1993) MOVED TO SUDBURY IN 1959
PERMANENT BUILDING COMMITTEE: 1968-1975*

MARGARET L. BENZIE

*-(1923-1993) MOVED TO SUDBURY IN 1956
EXECUTIVE SECRETARY AT CURTIS SCHOOL: 1967-1986*

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ANNE W. DONALD -(1923-1993) MOVED TO SUDBURY IN 1951
FINANCE COMMITTEE: 1976-1979
GOODNOW LIBRARY TRUSTEES: 1979-1980
BOARD OF SELECTMEN: 1980-1988
FENCE VIEWER: 1980-1988
REPRESENTATIVE TO SUDBURY VISITING NURSE
ASSOCIATION: 1980-1988
MIDDLESEX COUNTY ADVISORY BOARD
REPRESENTATIVE: 1981-1987
DESIGNEE TO THE METROWEST GROWTH MANAGEMENT
COMMITTEE: 1984-1988
SUDBURY 350TH ANNIVERSARY CELEBRATION COMMITTEE:
1986-1989
COUNCIL ON AGING: 1988-1993

SHIRLEY M. EY -(1948-1993) MOVED TO SUDBURY IN 1960
SECRETARY IN HIGHWAY DEPARTMENT: 1990-1993

GERTRUDE M. FARRELL -(1913-1993) LIFELONG SUDBURY RESIDENT
LIBRARIAN AT GOODNOW LIBRARY: 1961-1978

VIRGINIA (HAPGOOD) GALLAGHER -(1907-1993) MOVED TO SUDBURY IN 1957
SUDBURY SCHOOL COMMITTEE: 1964-1966
TOWN NEEDS COMMITTEE: 1966-1967

ROBERT W. GALLIGAN -(1921-1993) MOVED TO SUDBURY IN 1954
GOODNOW LIBRARY TRUSTEES: 1970-1973

LAMONTE GRISWOLD -(1898-1994) MOVED TO SUDBURY IN 1945
INSURANCE COMMITTEE: 1951-1952

JAMES R. GUILD -(1932-1994) MOVED TO SUDBURY IN 1976
ELECTION OFFICER: 1991-1992

RALPH EDMUND HAWES -(1907-1993) LIFELONG SUDBURY RESIDENT
BOARD OF ASSESSORS: 1943-1957

FRANK PIRRELLO -(1909-1993) MOVED TO SUDBURY IN 1940
TEACHER IN SUDBURY HIGH SCHOOL: 1944-1945
PRINCIPAL IN SUDBURY HIGH SCHOOL: 1945-1946
ELEMENTARY TEACHER IN SUDBURY SCHOOLS: 1957-1974

HAMMOND G. REED -(1926-1993) MOVED TO SUDBURY IN 1953
FINANCE COMMITTEE: 1966-1969

JAMES G. ROSE -(1914-1994)
HIGHWAY DEPARTMENT: 1970-1984

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ALBERT B. ST. GERMAIN

*-(1909-1993) MOVED TO SUDBURY IN 1926
SPECIAL POLICE OFFICER: 1946-1952, 1963-1975
RESUSCITATOR COMMITTEE: 1951, 1952
COMMITTEE TO STUDY OFFICE SPACE AND FIRE DEPARTMENT
SPACE: 1953-1954
AUXILIARY POLICE: 1953-1955
BUILDING INSPECTOR: 1953-1967
WIRING INSPECTOR: 1953-1967
FIRE CHIEF: 1953-1974
FOREST WARDEN: 1953-1974
POLICE OFFICER: 1955-1963
PLANNING BOARD: 1958-1963, 1975-1978
SUBSTANDARD DWELLING STUDY COMMITTEE: 1962-1963
CIVIL DEFENSE DIRECTOR: 1968-1974
AMBULANCE TASK FORCE: 1973-1975
REVOLUTIONARY WAR BICENTENNIAL COMMITTEE:
1974-1975
OPERATIONAL REVIEW COMMITTEE FOR
WAYLAND/SUDBURY SEPTAGE DISPOSAL FACILITY: 1976-1993*

HILDA A. WHITNEY

*-(1909-1993) LIFELONG SUDBURY RESIDENT
TERCENTENARY COMMITTEE: 1938-1940
REGIONAL SCHOOL STUDY COMMITTEE: 1953-1954
TREE SURVEY COMMITTEE: 1953-1954*

AND BE IT FURTHER

*RESOLVED: THAT THE TOWN OF SUDBURY, IN TOWN MEETING ASSEMBLED, RECORDS FOR
POSTERITY IN THE MINUTES OF THIS MEETING ITS RECOGNITION AND APPRECIATION
FOR THEIR SPECIAL GIFTS AND SERVICES TO THE TOWN.*

The Resolution was seconded and **UNANIMOUSLY VOTED.**

Retiring Chairman of the Board, J. Cope, presented the State of the Town address, noting this year, under Article 2, one of the more important articles, would be discussed a proposal to change the form of government in an effort to improve operations, make them more efficient, make government more accountable, and provide better service to the public. She expressed concern over the size of the Warrant and the number of monied articles. In preparing the Warrant, the Board came to the conclusion that there was need for stronger capital planning and coordination of efforts by the Town, the local schools and the high school. It was anticipated this cooperative effort would start sometime in the fall. Chairman Cope expressed her disappointment on the results of the public opinion advisory question on housing as to whether there existed a need for diversified housing with accompanying zoning changes. The vote was 420 in support and 499 in the negative. Concern was expressed for those residents over 55 who no longer can manage their residences yet wish to remain in Sudbury. Chairman Cope touched upon the town's infrastructure and the fact funds had been appropriated to begin its improvement. The Town Hall and the Loring Parsonage will be repaired and painted this spring, while the Library and Town Hall will be made handicapped accessible.

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Craig Blake, Chairman of the Resource Recovery Committee was then introduced by Ms. Cope, who noted the Selectmen were looking for solutions on how to handle the disposal of the town's solid waste. Two solutions were offered: 1) Have all town trash picked up curbside or 2) continue a centralized residential drop-off station at the landfill site. Weekly curbside pickup would be included in everyone's tax bill. The residential drop-off would have the waste placed in dumpsters at the landfill and transported to an out-of-town disposal facility--an incinerator/landfill. Residents currently bringing their trash to the landfill would be allowed to use this alternative, while those presently having curbside or garage pickup would continue to do so.

M. Fitzgerald, Chairman of the Finance Committee, then presented the 1994 Finance Committee Report which was substantially the same as that printed in the Warrant.

1994 FINANCE COMMITTEE REPORT

OVERVIEW

After four difficult years (1990-1993) of budget cutting, FY94 saw modest restoration of town and school budgets. The Finance Committee's recommendation for the FY95 budget continues that restoration process with significant additional funding for the Sudbury Public Schools to cope with expanding enrollments and to enable the opening of Nixon School, and important but more modest increases for a number of Town departments as well as Lincoln-Sudbury Regional High School. In addition, the Finance Committee is contemplating a recommendation for a significant bond issue, perhaps in the range of \$5 to \$8 million to finance a number of infrastructure improvements to the Town's physical facilities and a much needed expansion of the Nixon School. Unfortunately, all the details of this issue were not fully worked out and a decision could not be made before this Warrant was printed.

FINANCIAL CONDITION

Sudbury's financial situation on an operating basis has improved and stabilized over the past year as the local economic recovery has continued and several management actions have taken hold. This reversal in fortune can be attributed to several developments. First, the economic recovery and lower interest rates have accelerated building activity and have added significantly to Town revenues. Second, changes to employee health plans are expected to stabilize these costs after several years of unmanageable increases. Third, state aid to Sudbury is no longer shrinking and modest increases are expected in FY95. Fortunately inflation remains low. While the U.S. CPI increased by 2.7 percent in 1993, the Boston area CPI increased by only 1.1% which made our expenditure dollars go further.

Sudbury's overall financial position is currently sound. Quarterly tax billing, cash management efforts, and tax collection activity have eliminated the need for short term borrowing. Tax delinquencies of all types however are running at an historically high 8 to 9 percent at fiscal year end, well above other area towns, and are of some concern but should subside as the economy strengthens and the miscues of refinancing are eliminated. Currently the Town's credit rating is "Aa" or simply "Double A." The desirable "Triple A" rating is a possibility and the Treasurer is currently working with the rating agencies to improve our position. The FinCom is fully supporting this effort with qualitative recommendations for sound financial management. Specifically, Tax Title efforts are being aggressively funded, Free Cash has not been recertified at mid-year, capital budget planning is being improved, and the move to a Town Manager form of government has been unanimously supported by the FinCom.

REVENUE OUTLOOK

The starting point for planning the FY95 budget process was to consider the revenue available to the Town. The tax levy continues to be the primary source of revenue representing 79 percent of total revenue. Overall, the tax levy will increase by about 4.0 percent as a result of this budget. The three components of this change for FY95 are the 2.5% increase yielding \$578,000, new construction worth \$493,000 or up 2.0%, and Prop 2-1/2 exemptions (basically debt service) down 0.4% or \$85,000.

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REVENUE SUMMARY (000's)

	<u>FY1994</u>	<u>FY1995</u>	<u>Difference</u>	<u>% Change</u>
Property Tax Revenue	\$24,430	\$25,418	\$988	4.0%
Net State Aid	2,462	2,759	297	12.1%
Local Receipts	2,170	2,181	11	0.5%

New construction remains at a high level, up from \$171,000 in FY92 and \$348,000 in FY93 but down from \$524,000 in FY94. These revenues are welcome but it is important to recognize the hidden costs of growth which are showing up in virtually all budgets, especially the K-8 school system.

State aid, or the Cherry Sheet as it is known, is up significantly in FY95. The major component of this increase is the state reimbursement for the Nixon/Noyes renovations of several years ago. The initial payment of \$200,222 will be received in August 1994 and will be a direct reduction to the exempted debt portion of the tax levy. As noted above, debt exemptions are down \$85,000 which otherwise would have increased by \$117,000 as a result of increases associated with the new bonding for the boiler replacement at LSRHS.

Local receipts which include motor vehicle excise, department fee revenues, penalties and interest are difficult to predict accurately but are essentially level funded as recommended by the Board of Assessors and the Town Accountant.

Other sources of funds include Free Cash, Abatement Surplus, and the Stabilization Fund. The budget recommendation includes Free Cash utilization of \$443,000 and Abatement Surplus of \$400,000 as determined by the Board of Assessors. The FinCom is also recommending use of \$72,000 from the Stabilization Fund which will require a two-thirds vote of Town Meeting.

BUDGET PROCESS

The improving revenue picture led the FinCom to believe that budgets would not have to be cut and that building back some budgets would be possible in FY95. The FinCom's highest priority was to ensure the opening of the Nixon School because of both the critical need for space and to ensure continued state reimbursement (\$200,222 for twenty years) for a portion of the renovation expense. To not open Nixon would jeopardize some or all of this reimbursement stream and seriously impair the K-8 school system for years to come. It is an expensive undertaking as outlined in the detailed Warrant report, but it simply must be done. As a result, the reserves mentioned above needed to be spent rather than saved or built.

Secondary priorities were to improve the Town's infrastructure and to selectively build back department service levels where the available incremental spending would provide the most to benefit the Town.

The budget process as defined by the Finance Committee directed all departments to a starting point of "level staff/level expense" meaning that all departments are generally expected to be at least as well off as the current year. Still, all line items were closely scrutinized and reduced where possible. Where incremental spending was requested, we asked for specific benefits to be derived by the Town. Budget increases were recommended based on the priorities determined by the individual department heads and weighed in their overall importance by the Finance Committee. In the case of all departments, the recommended budget includes increases to fund at least one, and in some cases more, of each department's highest priority additions.

In all cases, departments did not receive their full requested budget increases. Throughout the process, and with the help of each department head, all requests were thoroughly and thoughtfully reduced to the items of most importance. In general, most of the recommended increases were considered either quite important to the department function or are productivity enhancements. The resulting budget was then the FinCom's recommendation as the best use of available funds.

Throughout the past year, the FinCom has worked with the Negotiating Advisory Committee (NAC) whose charter is to provide advice regarding union contract discussions. The position of both committees was to make no provision for salary increases

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in the recommended budget unless settlements were reached before Town Meeting. In that way, all of the various committees and Town Meeting would have the opportunity to be informed of the budget impact of proposed settlements before approving funding for any proposed new contract. Since no settlements have been reached, a Special Town Meeting will be needed to approve funding for any new contract.

As a result, the recommended budget does include currently scheduled step increases and longevity items but no union salary increase items. In the case of Lincoln-Sudbury Regional, any salary adjustments must be covered by the recommended assessment, a situation necessitated by the complications of the assessment process for the two towns. In addition, for FY95 the Personnel Board, in Article 3 of this Warrant, has recommended a one percent increase for non-union employees and elected officials totalling approximately \$17,900. The FinCom concurs with that position and has included this increase in the appropriate line items for Town Meeting approval.

BUDGET REVIEW

The FY95 budget recommendation, including articles, forecasts total spending to rise by approximately \$1.4 million or 4.6 percent over FY94. The operating budget portion of the budget rises by \$1.6 million or 5.5 percent as outlined in the following table.

SUMMARY OF RECOMMENDED APPROPRIATIONS (000's)

	Appropriated FY94	Recommended FY95	Additional Dollars	% Increase
Sudbury Public Schools (Net)	\$10,021	\$11,079	\$1,058	10.6%
LSRHS Assessment	6,943	7,342	399	5.8%
Minuteman Regional	300	313	13	4.3%
<hr/>				
100 Total Schools	\$17,264	\$18,734	\$1,470	8.5%
200 Debt Service	1,156	1,115	(\$41)	-3.6%
300 Protection	3,384	3,317	(\$67)	-2.0%
400 Highway/Landfill	1,675	1,698	24	1.4%
500 General Government	851	897	47	5.5%
560 Finance	526	556	30	5.7%
600 Library	405	435	30	7.3%
700 Recreation	464	472	9	1.9%
800 Health	202	216	15	7.2%
900 Unclassified	3,883	3,498	109	3.2%
<hr/>				
TOTAL OPERATING BUDGET	\$29,327	\$30,951	\$1,624	5.5%

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Each of the departmental budgets are described in more detail in a later section of the Warrant. It is clear that the schools, primarily due to the opening of Nixon School, are receiving the bulk of the increased spending in dollar terms, but other budgets are also expanding in similar percentage terms. Despite the reduction in Protection appropriations, the Town should actually receive greater service than in the current year. Personnel changes to lower steps and the new ambulance purchased last year account for \$125,000 in decreases versus FY94, meaning other increases in these departments total \$58,000.

Overall, the Finance Committee believes that its priorities and objectives, which are hopefully identical to those of the Town's citizens, have been met with the budget as recommended. However, one point of failure needs to be noted - nothing has been done to improve the Town's infrastructure except to add a custodian/maintenance person in the Building Department.

As noted earlier, Free Cash of \$443,000 is being utilized in the budget recommendation which leaves a balance of \$577 available for additional spending at the Annual Town Meeting. Free Cash was not recertified in mid-year to expand the funds available for this budget as it had been in earlier, more difficult periods. This is a more prudent approach. Free Cash will again be certified on July 1, 1994 and will be available for future Town Meetings.

THE EDUCATION REFORM ACT

Aside from the educational aspects of the Massachusetts Education Reform Act of 1993, the statute contains a number of school financing requirements. The law is quite complex and many problems still need to be worked out. Briefly, all three school systems, the Sudbury Public Schools, Lincoln-Sudbury Regional, and Minuteman Vocational Technical, are approximately in the same position with respect to financing requirements. Each system is above the state defined minimum "Foundation Budget" but below the budget level determined by the Town's perceived ability to pay known as the "Standard of Effort." This position requires that (a) all Education Reform aid coming to the Town be appropriated to the schools and (b) that the Town must increase its contribution to the schools each year by at least the "Municipal Growth Factor" or the rate of growth in Town revenues. In FY95, total additional state aid to Sudbury (SPS or LSRHS) under the Education Reform Act is expected to be \$457,000 or \$66,000 more than in FY94.

In the fall of 1993, shortly after the Act was passed by the legislature, the State Department of Education and the Sudbury Public School Committee believed that the Town's minimum contribution was less than the prescribed amount and that we may be in violation of the law. After substantial review of this complex legislation, the School Committee and the Finance Committee could not make a precise determination as to the proper level of funding. As a compromise, the FinCom transferred \$30,381 to the school budget, an amount which satisfied all state and local officials.

Based on the Town's desire for strong school systems, this law should have minimal effect on the allocation of resources in Sudbury, but could create some minor problems in lean years. The recommended FY95 budget is in full compliance with the Education Reform Act.

BOND ISSUE

As noted earlier, the FY95 budget recommendation and other recent budgets provide very little funding for improving the Town's infrastructure or physical assets. Important, large capital projects which are listed as Articles in this Warrant, just cannot be funded as part of the budget under Proposition 2-1/2 without creating serious problems in virtually all of the school and town departments. Some of these projects will have to be funded at some point in time unless we are to abandon these assets altogether. Others portray either a very strong need or the possibility of cost savings/avoidance. These are all long term assets from which the Town will benefit for many years and are the types of assets that are generally funded by long term borrowing.

Currently Sudbury's net debt service (after state reimbursement) is a relatively low 3.0 percent of the operating budget and declining modestly as earlier debt is paid down. The economy is improving. Interest rates are lower than at any time in recent memory and the Town's credit rating is good and even improving. Generally, the Town would borrow to fund these types of projects over 10 years by asking both the Town Meeting and the voters at large to approve a debt exemption over Proposition 2-1/2, which would raise the money on the tax levy only for the period for which the debt is to be paid.

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Although no formal position has been taken by the Finance Committee on either a bond issue or the specific projects to be included, there is a strong sense that now is a good time to move in this direction and to present the issue to Town Meeting if the details can be properly worked out. Rather than allow these projects to stand alone only to be pushed in competition with each other by narrow interest groups, the Finance Committee believes strongly that, since doing some set of these projects will bring many benefits to the community as a whole, a "bundled" approach, packaging all the items into a single large bond issue, will allow the "Sudbury Community" to take a community approach to the question. The FinCom apologizes for its inability to conclude its decision making in time to properly report in the Warrant but will report fully to the Town as soon as possible.

SUMMARY

The Finance Committee has attempted to be fair and consistent in all deliberations and recommendations. We believe the budget recommendation makes the best use of available funds and is in the overall best interest of the Town, but it is only a recommendation. The Town Meeting is the final decision-making authority.

We must acknowledge the spirit of cooperation and the remarkably professional attitude of the departments and various committees we worked with over the past couple of months. Sudbury is fortunate to have such a dedicated and capable workforce of both professionals and volunteers. We must especially thank Terri Ackerman, the Town's Budget Officer, for her many valuable contributions including getting the numbers right and making sure everything was completed within the schedule.

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TOWN OF SUDBURY
FY95 BUDGET

Old Line #	New Line #	Expend FY 92*	Expend. FY 93*	Approp. FY 94	Dept Request FY 95	Fin Com Rec FY95
	Sudbury Pub. Schls.(Gross)	8,971,348	8,812,173	10,280,435	11,795,020	11,316,820
	Sudbury Pub. Schls: Offsets	100,492	237,328	259,594	238,233	238,233
	SUDBURY PUB. SCHLS. (Net)	8,870,856	8,574,845	10,020,841	11,556,787	11,078,587
	L.S.R.H.S (Assessment)	6,367,491	6,539,191	6,942,562	7,482,884	7,341,877
	M.R.V.T.H.S. (Assessment)	357,370	381,446	300,448	313,488	313,488
	TOTAL SCHOOLS	15,595,717	15,495,482	17,263,851	19,353,159	18,733,952
	200: Debt Service	475,480	1,046,008	1,156,017	1,114,603	1,114,603
	300: Protection	3,114,439	3,142,953	3,383,816	3,515,534	3,317,104
	400: Highway/Landfill	1,515,867	1,610,924	1,674,756	1,858,707	1,698,396
	500: General Govt.	804,618	763,173	850,773	941,939	897,403
	560: Finance	435,673	437,657	526,417	563,753	556,322
	600: Library	369,454	365,129	405,016	453,520	434,628
	700: Recreation	469,911	434,394	463,524	500,259	472,271
	800: Health	185,503	189,152	201,547	218,549	216,155
	900: Veterans	13,598	20,635	17,651	43,167	11,823
	950: Unclassified/Transfer Acct.	2,840,318	3,065,033	3,383,413	3,538,348	3,498,258
	TOTAL TOWN (inc. Unclassif.)	10,224,861	11,075,057	12,062,930	12,748,379	12,216,963
	TOTAL OPERATING BUDGET	25,820,578	26,570,539	29,326,781	32,101,538	30,950,915
	STM Articles:	1,050,000	0	0	0	0
	ATM Articles:	1,437,780	2,492,637	566,893	9,738,713	6,813,213
	Borrowing	2,050,000	2,134,424	0	0	6,488,000
	TOTAL ARTICLES	437,780	358,213	566,893	9,738,713	325,213
	TOTAL APPROPRIATIONS	26,258,358	26,928,752	29,893,674	41,840,251	31,276,128
	Cherry Sheet Chgs. & Underest.	347,160	360,050	370,222	370,222	370,222
	Cherry Sheet Offsets	217,547	217,587	264,744	264,744	264,744
	Recap, Snow & Ice & Oth. chgs.	70,727	47,015	166,305	164,000	152,000
	Abatements & Exemptions	394,184	350,979	298,387	350,000	350,000
	TOTAL CHARGES	1,029,618	975,631	1,099,658	1,148,966	1,136,966
	TOTAL TO BE RAISED	27,287,976	27,904,383	30,993,332	42,989,217	32,413,094
	Cherry Sh. Receipts & Overest.	2,173,992	2,093,538	2,462,417	2,759,360	2,759,360
	Local Receipts	2,069,951	2,122,577	2,170,161	2,065,161	2,180,660
	Enterprise Fund Receipts	661,814	645,544	740,711	757,896	758,858
	Free Cash applied	300,527	399,536	482,894	443,000	443,000
	Dog Licenses (& St. Aid)	2,000	7,750	6,454	6,454	6,454
	Wetlands Protection Fund	4,125	4,125	4,125	4,125	4,125
	Abatement Surplus	175,000	0	179,383	400,000	400,000
	Cemetery Fund	28,000	11,700	14,000	17,625	17,625
	Stabilization Fund	180,000	0	0	72,000	72,000
	Transfer from ATM 1987/14	30,000	0	0	0	0
	Transf: ATM 82/14,STM86/6	7,317	0	0	0	0
	Transfer from ATM 87/14			8,532	0	0
	Transf from ATM 90/24			140,000	3,918	3,918
	Transf from Conservation Wetlands Map Art.			10,000	0	
	Transport. Bond Offset	0	319,713	319,713	319,713	319,713
	Offset: Revolving Funds	0	0	0	1,400	0
	Ambulance Fund	25,000	50,000	93,500	30,000	30,000
	TOTAL RECEIPTS & REVENUE	5,657,726	5,654,483	6,621,890	6,890,652	6,995,713

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Old Line #	New Line #	Expend. FY 92*	Expend FY 93*	Approp. FY 94	Dept Request FY 95	FinCom Rec FY95
		21,630,250	22,249,900	24,371,442	36,098,565	25,417,381
		20,695,073	21,710,546	22,610,635	23,712,938	23,712,938
		170,948	348,612	523,939	493,000	493,000
		315,000	0	0		
		21,181,021	22,059,158	23,134,574	24,205,938	24,205,938
		682,036	1,185,553	1,296,109	1,212,321	1,212,321
		21,863,057	23,244,711	24,430,683	25,418,259	25,418,259
		232,807	994,811	59,241	0	878
				0	10,680,306	0

The operating budget portion of the budget was stated to rise by \$1.6 million or 5.5 percent as outlined in the following table.

SUMMARY OF RECOMMENDED APPROPRIATIONS (000'S)

	Appropriated FY94	Recommended FY95	Additional Dollars	% Increase
Sudbury Public Schools (Net)	\$10,021	\$11,079	\$1,058	10.6%
LSRHS Assessment	6,943	7,342	399	5.8%
Minuteman Regional	300	313	13	4.3%
100 Total Schools	\$17,264	\$18,734	\$1,470	8.5%
200 Debt Service	\$1,156	\$1,115	(\$41)	-3.6%
300 Protection	\$3,384	\$3,317	(\$67)	-2.0%
400 Highway/Landfill	\$1,675	\$1,698	\$24	1.4%
500 General Government	\$851	\$897	\$47	5.5%
560 Finance	\$526	\$556	\$30	5.7%
600 Library	\$405	\$435	\$30	7.3%
700 Recreation	\$464	\$472	\$9	1.9%
800 Health	\$202	\$216	\$15	7.2%
900 Unclassified	\$3,883	\$3,498	\$109	3.2%
TOTAL OPERATING BUDGET	\$29,327	\$30,951	\$1,624	5.5%

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{The full text of all discussions under each article is available at the Town Clerk's Office.}

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 1993 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Board of Selectmen

Chairman Cope made the following motion under Article 1:

Move to accept the Reports of the Town Boards, Commissions, Officers and Committees as printed in the 1993 Town Report or as otherwise presented subject to the correction of errors, if any, are found.

The motion was seconded and **UNANIMOUSLY VOTED.**

The consent Calendar was the next business Taken up. The Moderator explained the procedure to be used and read the number of each article which had been placed on the Calendar. The following articles were held and removed from the Consent Calendar: 4, 22, and 26.

UNANIMOUSLY VOTED: TO TAKE ARTICLES 5, 8, 9, 10, 21, 25 AND 27 OUT OF ORDER AND CONSIDER THEM TOGETHER AT THIS TIME.

UNANIMOUSLY VOTED: IN THE WORDS OF THE CONSENT CALENDAR MOTIONS AS PRINTED IN THE WARRANT FOR THESE ARTICLES 5, 8, 9, 10, 21, 25 AND 27.

(SEE INDIVIDUAL ARTICLES FOR REPORTS AND MOTIONS VOTED.)

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ARTICLE 2. SPECIAL ACT: ESTABLISH BOARD OF SELECTMEN -
TOWN MANAGER FORM OF ADMINISTRATION

To see if the Town will vote to authorize and approve the filing of a petition with the General Court of the Commonwealth, under Section 8 of Article 2 of the Amendment to the Constitution of the Commonwealth, as amended by Article 89 of those Amendments, known as the "Home Rule Amendment", to enact a special law in the following form; or take any action relative thereto:

"An Act Establishing a Board of Selectmen-Town Manager
Form of Administration in the Town of Sudbury

PART I INCORPORATION AND AUTHORITY

Section 1. INCORPORATION CONTINUED

The inhabitants of the Town of Sudbury, Massachusetts, within its territorial limits as now or may hereafter be established by law, shall continue to be a body politic and corporate, known as the "Town of Sudbury".

Section 2. SHORT TITLE

This instrument may be cited and shall be known as the Sudbury Home Rule Charter Act.

Section 3. POWERS OF THE TOWN

The intent and purpose of this Act is to secure for the voters of the Town of Sudbury, through the adoption of this Act, all the powers possible to secure for their government under Article LXXXIX of the Amendments to the Constitution of the Commonwealth and laws of the Commonwealth, as fully and as though each such power were specifically and individually enumerated herein. To the extent that the provisions of this act modify or repeal existing general laws and special laws or the body of law which constitutes the Town Charter under Section 9 of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, this act shall govern.

PART II LEGISLATIVE BRANCH

Section 4. TOWN MEETING

The legislative powers of the Town shall continue to be exercised by a Town Meeting open to all voters of the Town.

PART III CHIEF EXECUTIVE FUNCTION

Section 5. BOARD OF SELECTMEN

(a) Composition, Term of Office

There shall be a Board of Selectmen composed of three (3) members elected for terms of three (3) years each, so arranged that the term of one member shall expire each year.

(b) Powers and Duties

The executive powers of the Town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all

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of the powers and duties given to boards of selectmen under the Constitution and laws of the Commonwealth and such additional powers and duties as may be authorized by this Act, by bylaw or by other Town Meeting vote. The Board of Selectmen shall cause the laws and orders for the government of the Town to be enforced and shall cause a record of its official acts to be maintained. The Board of Selectmen shall be the chief policy making board of the Town and shall act by the issuance of policy statements and guidelines to be followed and implemented by all Town agencies serving under the board.

The Board of Selectmen shall be the licensing authority of the Town and shall have power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

To aid the Board of Selectmen in the conduct of its official business and duties, the Board of Selectmen shall appoint a Town Manager.

(c) Appointment Powers

The Board of Selectmen shall appoint a Town Manager, Town Counsel, and Board of Assessors. The Board of Selectmen shall also appoint all boards, committees, and commissions except as otherwise provided by this Act, by bylaw or other vote of the Town Meeting and such other regional authorities, districts, or committees in accordance with any applicable laws, or interlocal agreement.

PART IV ADMINISTRATIVE OFFICER/TOWN MANAGER

Section 6. APPOINTMENT, QUALIFICATIONS FOR THE TOWN MANAGER

The Board of Selectmen shall appoint a Town Manager who shall serve at the pleasure of the board. The Town Manager shall be especially fitted by education, training and experience in public or business administration to perform the duties of the office. Any vacancy in the office of Town Manager shall be filled as soon as possible by the Board of Selectmen. Pending the appointment of a Town Manager or the filling of any vacancy, the Board of Selectmen shall appoint a suitable person to perform the duties of the office. In the event of temporary absence or disability of the Town Manager, the Board of Selectmen may designate a qualified person to serve as acting Town Manager and to perform the duties of the Town Manager during such temporary absence or disability. The Town Manager shall receive such compensation for services as the Board of Selectmen shall determine, but such compensation shall not exceed the amount appropriated therefor by the Town.

Section 7. GENERAL RESPONSIBILITIES OF THE TOWN MANAGER

The Town Manager shall be the chief administrative officer of the Town, shall act as the agent for the Board of Selectmen and shall be responsible to the Board of Selectmen for the proper operation of town affairs for which the Town Manager is given responsibility under this Act. The Town Manager, under the policy direction of the Board of Selectmen, shall supervise, direct and be responsible for the efficient administration of all officers appointed by the Town Manager and their respective departments and of all functions for which the Town Manager is given responsibility, authority or control by this Act, by bylaw, by Town Meeting vote, or by vote of the Board of Selectmen. The Town Manager shall have the power to delegate, authorize or direct any subordinate or employee of the Town to exercise any power, duty or responsibility which the office of Town Manager is authorized to exercise under this Act. All actions that are performed under such delegation shall be deemed to be the actions of the Town Manager.

Section 8. APPOINTMENT RESPONSIBILITIES

Except as otherwise provided by this Act, the Town Manager shall appoint, based upon merit and fitness alone, a Director of Finance, a Police Chief, a Fire Chief, a Town Clerk, a Treasurer-Collector, a Director of Assessing, a Director of Public Works

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and all department heads and officers, subordinates, and employees under the direct supervision of the Town Manager and officers, subordinates, employees for whom no other method of selection is provided in this Act except employees of the school department. The Town Manager may appoint ad hoc committees as is deemed necessary.

Section 9. PERSONNEL MANAGEMENT RESPONSIBILITIES

The personnel management powers, duties and responsibilities of the Town Manager shall include, but are not intended to be limited to, the following:

- (a) to administer and to adopt personnel policies, practices, or rules and regulations, any compensation plan and any related matters for municipal employees and to administer all collective bargaining agreements, except for school department agreements, entered into by the Town.
- (b) to fix compensation of all town employees and officers appointed by the Town Manager within the limits established by appropriation and any applicable compensation plan and/or collective bargaining agreements.
- (c) to be responsible for the negotiation of all contracts with town employees over wages, and other terms and conditions of employment, except the Library Director, Assistant Library Director and employees of the school department; such contracts shall be subject to the approval of the Board of Selectmen. The Town Manager may, subject to the approval of the Board of Selectmen, employ special counsel to assist in the performance of these duties.

Section 10. FINANCIAL MANAGEMENT RESPONSIBILITIES

The Town Manager, with the assistance of the Finance Director and the Treasurer-Collector, shall be responsible for all the financial management functions of the Town, unless otherwise provided by this Act. Such functions shall include, but are not intended to be limited to, the following:

- (a) to prepare and submit, after consultation with all town departments, an annual operating budget and capital improvement program for all town departments.
- (b) to insure that complete and full records of the financial and administrative activity of the Town are maintained and to render reports to the Board of Selectmen as may be required.
- (c) to approve warrants for payments of town funds prepared by the Town Accountant.
- (d) to be responsible for the purchase of all supplies, materials, and equipment, except books and other educational materials for schools and books and other media materials for libraries. The Town Manager shall approve the award of all contracts for all town departments with the exception of the school department, subject to the approval of the Board of Selectmen.
- (e) to keep the Board of Selectmen and Finance Committee fully informed as to the financial condition of the Town and to make recommendations to the Board of Selectmen and to other elected and appointed officials as the Town Manager deems necessary or expedient.
- (f) to prepare, annually, a financial forecast of town revenue, expenditures and the general financial condition of the Town.

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Section 11. ADMINISTRATIVE RESPONSIBILITIES

The administrative powers, duties and responsibilities of the Town Manager shall include, but are not intended to be limited to, the following:

- (a) to attend all regular and special meetings of the Board of Selectmen, unless excused.
- (b) to attend all sessions of the Town Meeting and to answer all questions addressed to the Town Manager which are related to the warrant articles and to matters under the general supervision of the Town Manager
- (c) to administer either directly or through a person or persons supervised by the Town Manager, in accordance with this Act, provisions of general or special laws, bylaws and other votes of the Town Meeting.
- (d) to investigate or inquire into the affairs of any town department or office, under the supervision of the Town Manager.
- (e) to coordinate activities of all town departments, officers, boards or commissions of the Town.
- (f) to keep the Board of Selectmen fully informed as to the needs of the Town requiring action by them, or by the Town, as the Town Manager deems necessary or expedient.
- (g) to be responsible for the efficient use, maintenance and repair of all Town facilities, except those under the jurisdiction of the School Committee.
- (h) to develop and maintain a full and complete inventory of all Town owned real and personal property.
- (i) to perform such other duties as necessary, or as may be assigned by this Act, bylaw, Town Meeting vote, or vote of the Board of Selectmen.

PART V ADMINISTRATIVE ORGANIZATION

Section 12. GENERAL POWER TO REORGANIZATION

The Town Manager may reorganize, consolidate or abolish, create, merge, or divide, alter the term of office, the manner of selection of any town department, office, agency or function under the jurisdiction of the Town Manager.

The Board of Selectmen may reorganize, consolidate or abolish, create, merge, reassign responsibilities and duties or divide, alter the term of office, the number of members, the manner of selection, of any board, commission or committee of the Town under the jurisdiction of the Board of Selectmen.

Section 13. BOARD OF ASSESSORS

There shall be three (3) Assessors, appointed by the Board of Selectmen, for three (3) years, arranged so that the term of one (1) member expires each year. The Board of Assessors shall have administrative review responsibilities and decide questions relating to the abatement of taxes and appeals of decisions of the Director of Assessing. The administrative responsibility for the operation of the assessing function and the office of the assessors shall be the responsibility of the Director of Assessing appointed by the Town Manager.

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Section 14. DEPARTMENT OF PUBLIC WORKS

Until such time as another form of organization is provided for in accordance with Section 12 of this Act, there shall be established a Department of Public Works. The Department of Public Works shall be charged with responsibility for the management of public works operations of the Town including, but not limited to, the following: highways; solid waste and recycling activities; maintenance of cemeteries, parks, fields and grounds, open space, public memorials, and commons; engineering services; building maintenance of all town buildings, except those of the school department; maintenance of vehicles and equipment; and other operations, and functions as may be deemed necessary or desirable. The department of public works shall also perform such functions and responsibilities as required by bylaw, vote of the Town Meeting or upon direction of the Town Manager or Board of Selectmen. The functions of the Highway Surveyor and the tree Warden shall be incorporated into the department of public works. The Town Manager shall appoint a Director of Public Works. The director shall be especially fitted by education, training and experience to perform the duties of the office; the director shall have such other qualifications as the Town Manager may from time to time provide.

Until such time as another form of organization is provided for in accordance with Section 12 of this Act, personnel responsible for building inspection and zoning enforcement, electrical, gas and plumbing inspection shall be under the direction of the Director of Public Works.

PART VI. ELECTED TOWN OFFICERS

Section 15. ELECTED TOWN OFFICIALS

The registered voters of the Town of Sudbury shall, in accordance with any applicable laws, bylaws, votes of the Town, or interlocal agreement continue to elect the following:

Board of Selectmen
Moderator
School Committee
Library Trustees
Planning Board, and
Housing Authority

Other such regional authorities, districts, or committees as may be established by law or interlocal agreement.

Section 16. TRANSITION PROVISIONS

- (a) Upon the adoption of this Act the incumbent serving as Town Clerk, shall continue to serve in said office for the balance of the term for which the Town Clerk was elected. Thereafter, the Town Clerk shall be appointed in accordance with this Act.
- (b) Upon the adoption of this Act the incumbent serving as Highway Surveyor shall continue to serve in said office for the balance of the term for which elected. Upon the expiration of said term of office or if a vacancy shall sooner occur, the functions of the office shall be transferred to the Department of Public Works.
- (c) The incumbents serving as members of the Board of Health shall continue to serve in said offices for the balance of the terms for which they were elected. Upon the expiration of said terms of office or if a vacancy shall sooner occur, the offices shall be appointed by the Board of Selectmen.
- (d) The incumbents serving as members of the Board of Assessors shall continue to serve in said offices for the balance of the terms for which they were elected. Upon the expiration of said terms of office or if a vacancy shall sooner occur, the offices shall be appointed by the Board of Selectmen.

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- (e) The incumbents serving as members of the Parks and Recreation Commission shall continue to serve in said offices for the balance of the terms for which they were elected. Upon the expiration of said terms of office or if a vacancy shall sooner occur, the offices shall be appointed by the Board of Selectmen.
- (f) The incumbents serving as Constables shall continue to serve in said offices for the balance of the terms for which they were elected. Upon the expiration of said terms of office or if a vacancy shall sooner occur, the offices shall be appointed by the Board of Selectmen.
- (g) The Department of Public Works shall become operational thirty (30) days after the appointment of the Director of Public Works.
- (h) Within six (6) months of the effective date of this Act the Board of Selectmen shall appoint a Town Manager.

PART VII GENERAL PROVISIONS

Section 17. SEVERABILITY

The provisions of this Act are severable. If any of the provisions of this Act are held to be unconstitutional or invalid, the remaining provisions of this Act shall not be affected thereby.

Section 18. EXISTING LAW

All laws, bylaws, votes, rules and regulations, whether enacted by authority of the Town or any other authority, which are in force in the Town of Sudbury on the effective day of this Act, or any portion or portions thereof, not inconsistent with the provisions of this Act shall continue to be in full force and effect until otherwise provided by other laws, bylaws, votes, rules and regulations, respectively. Nothing contained herein shall impair contractual rights established prior to the adoption of this Act, or any amendment thereto.

Section 19. EXISTING EMPLOYEES

Any person holding a town office, or employment under the Town, shall retain such office or employment, and shall continue to perform their duties until provisions shall have been made in accordance with this Act, for the performance of said duties by another person, or agency. No person in the permanent full-time service or employment of the Town shall forfeit pay grade for time in service.

Section 20. EFFECTIVE DATE

This Act shall be submitted for acceptance to the qualified voters of the Town of Sudbury at an annual or special town meeting called for the purpose. The vote shall be taken in precincts by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed upon the official ballot to be used at said meeting: "Shall an act passed by the general court in the year nineteen hundred and ninety-four, entitled 'An Act Establishing a Board of Selectmen-Town Manager Form of Administration in the Town of Sudbury', be accepted by this town?" If a majority of the voters voting on this question shall vote in the affirmative, said Act shall take effect immediately. If a majority of the voters voting on this question shall vote in the negative, this Act shall thereupon become void.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

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Judith Cope, Chairman of the Board of Selectmen, made the following motion under Article 2:

Moved to authorize and approve the filing of a petition with the General Court of the Commonwealth under Section 8 of Article 2 of the Amendment to the Constitution of the Commonwealth, known as the "Home Rule Amendment", to enact a special law entitled, An Act Establishing a Board of Selectmen-Town Manager Form of Administration in the Town of Sudbury as set forth in the Warrant under Article 2, except for the following:

1) in Part 3, Section 5(c) in the first sentence delete the words "Board of Assessors" and substitute the words, "Town Accountant";

2) in Part 4, Section 9(c) after the word "Except" in the second line delete the words "Library Director, Assistant Library Director"; and

3) in Part IV, Section 10(d) in the third line, delete the words, "approve the" and "all" before and after the word "award" so that the second sentence will read, "The Town Manager shall award all contracts for all Town departments with the exception of the School Department subject to the approval of the Board of Selectmen;

4) in Part V delete Section 13 in its entirety and renumber the following sections accordingly;

5) in Part V, original Section 14, second sentence, after the words, "maintenance of cemeteries", delete the word "parks, fields and grounds" and substitute the words, "Town property";

6) in Part VI, original Section 15, after the words "the registered voters of the Town of Sudbury shall in accordance with any applicable laws, bylaws, votes of the Town, or interlocal agreement continue to elect the following: add Board of Assessors and Board of Health;

7) in Part VI, original Section 16, delete Part "c" and "d" in their entirety and reletter remaining paragraphs accordingly.

The motion received a second.

Following is the Handout prepared for the voters on Article #2:

HANDOUT
MOTION FOR ARTICLE 2
1994 ANNUAL TOWN MEETING

(To show changes between the Warrant and handout motion, words deleted are crossed out. Words to be added are in **bold** and underlined.)

Move to authorize and approve the filing of a petition with the General Court of the Commonwealth, under Section 8 of Article 2 of the Amendment to the Constitution of the Commonwealth, as amended by Article 89 of those Amendments, known as the "Home Rule Amendment", to enact a special law in the following form:

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"An Act Establishing a Board of Selectmen-Town Manager
Form of Administration in the Town of Sudbury

PART I INCORPORATION AND AUTHORITY

Section 1. INCORPORATION CONTINUED

The inhabitants of the Town of Sudbury, Massachusetts, within its territorial limits as now or may hereafter be established by law, shall continue to be a body politic and corporate, known as the "Town of Sudbury".

Section 2. SHORT TITLE

This instrument may be cited and shall be known as the Sudbury Home Rule Charter Act.

Section 3. POWERS OF THE TOWN

The intent and purpose of this Act is to secure for the voters of the Town of Sudbury, through the adoption of this Act, all the powers possible to secure for their government under Article LXXXIX of the Amendments to the Constitution of the Commonwealth and laws of the Commonwealth, as fully and as though each such power were specifically and individually enumerated herein. To the extent that the provisions of this act modify or repeal existing general laws and special laws or the body of law which constitutes the Town charter under Section 9 of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, this act shall govern.

PART II LEGISLATIVE BRANCH

Section 4. TOWN MEETING

The legislative powers of the Town shall continue to be exercised by a Town Meeting open to all voters of the Town.

PART III CHIEF EXECUTIVE FUNCTION

Section 5. BOARD OF SELECTMEN

(a) Composition, Term of Office

There shall be a Board of Selectmen composed of three (3) members elected for terms of three (3) years each, so arranged that the term of one member shall expire each year.

(b) Powers and Duties

The executive powers of the Town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all of the powers and duties given to boards of selectmen under the Constitution and laws of the Commonwealth and such additional powers and duties as may be Authorized by this Act, by bylaw or by other Town Meeting vote. The Board of Selectmen shall

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cause the laws and orders for the government of the Town to be enforced and shall cause a record of its official acts to be maintained. The Board of Selectmen shall be the chief policy making board of the Town and shall act by the issuance of policy statements and guidelines to be followed and implemented by all Town agencies serving under the board.

The Board of Selectmen shall be the licensing authority of the Town and shall have power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

To aid the Board of Selectmen in the conduct of its official business and duties, the Board of Selectmen shall appoint a Town Manager.

(c) Appointment Powers

The Board of Selectmen shall appoint a Town Manager, Town Counsel, Board of Assessors- and Town Accountant. The Board of Selectmen shall also appoint all boards, committees, and commissions except as otherwise provided by this Act, by bylaw or other vote of the Town Meeting and such other regional authorities, districts, or committees in accordance with any applicable laws, or interlocal agreement.

PART IV ADMINISTRATIVE OFFICER/TOWN MANAGER

Section 6. APPOINTMENT, QUALIFICATIONS FOR THE TOWN MANAGER

The Board of Selectmen shall appoint a Town Manager who shall serve at the pleasure of the board. The Town Manager shall be especially fitted by education, training and experience in public or business administration to perform the duties of the office. Any vacancy in the office of Town Manager shall be filled as soon as possible by the Board of Selectmen. Pending the appointment of a Town Manager or the filing of any vacancy, the Board of Selectmen shall appoint a suitable person to perform the duties of the office. In the event of temporary absence or disability of the Town Manager, the Board of Selectmen may designate a qualified person to serve as acting Town Manager and to perform the duties of the Town Manager during such temporary absence or disability. The Town Manager shall receive such compensation for services as the Board of Selectmen shall determine, but such compensation shall not exceed the amount appropriated therefor by the Town.

Section 7. GENERAL RESPONSIBILITIES OF THE TOWN MANAGER

The Town Manager shall be the chief administrative officer of the Town, shall act as the agent for the Board of Selectmen and shall be responsible to the Board of Selectmen for the proper operation of town affairs for which the Town Manager is given responsibility under this Act. The Town Manager, under the policy direction of the Board of Selectmen, shall supervise, direct and be responsible for the efficient administration of all officers appointed by the Town Manager and their respective departments and of all functions for which the Town Manager is given responsibility, authority or control by this Act, by bylaw, by Town Meeting vote, or by vote of the Board of Selectmen. The Town Manager shall have the power to delegate, authorize or direct any subordinate or employee of the Town to exercise any power, duty or responsibility which the office of Town Manager is authorized to exercise under this Act. All actions that are performed under such delegation shall be deemed to be the actions of the Town Manager.

Section 8. APPOINTMENT RESPONSIBILITIES

Except as otherwise provided by this Act, the Town Manager shall appoint, based upon merit and fitness alone, a Director of Finance, a Police Chief, a Fire Chief, a Town Clerk, a Treasurer-Collector, a Director of Assessing, a Director of Public Works